IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO.18934 of 2004

Between:

D.Ramakrishna Rao S/o.Sudarshan Rao, 45 years,
Mummidivaram PACS Mummidivaram East Godavari District.

...PETITIONER

AND

1. The District Cooperative Officer, East Godavari District at Kakinada.
2. The Divisional Cooperative Officer, Amalapuram, East Godavari District.
3. The Mummidivaram PACS, Mummidivaram, East Godavari District, represented by its Chairman/PIC.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the impugned action of the 2nd respondent in not taking any action for payment of salaries due to the petitioner from the funds of the 3rd respondent society in spite of proceedings issued by the 1st respondent in Rc.No.6430/2002 A dated 20.02.2003 for payment of salaries dues to the petitioner as highly illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India apart from contrary to the provisions of A.P.C.S Act.

Counsel for the Petitioner: MR.G.V.SHIVAJI

Counsel for the Respondents 1 and 2: GP FOR COOPERATION

The Court made the following:

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THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO.18934 of 2004

ORDER:

The petitioner seeks a declaration that the impugned action of the second respondent in not taking any action for payment of salaries due to the petitioner from the funds of the third respondent-Society in spite of the proceedings issued by the first respondent dated 20.02.2003 is illegal and arbitrary.

A perusal of the proceedings dated 20.02.2003, shows that the second respondent was directed by the 1st respondent to enquire into the claim of the petitioner for payment of salary alleged to be due to the petitioner and to take necessary action in accordance with law. Having heard the learned counsel for both the parties, without expressing any opinion with regard to the claim of the petitioner, the Writ Petition is disposed of with a direction to the second respondent to take necessary further steps in pursuance of the proceedings of the first respondent dated 20.02.2003 and to pass appropriate orders in accordance with law, if not already passed as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of.

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(G.ROHINI, J)

13th October 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The District Cooperative Officer, East Godavari District at Kakinada.
2. The Divisional Cooperative Officer, Amalapuram, East Godavari District.
3. The Chairman/PIC, Mummidivaram PACS, Mummidivaram, East Godavari District.
4. Two CCs to GP for Cooperation, High Court Buildings, Hyderabad (OUT).
5. Two CD copies.